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Via ECF

Hon. Philip M. Halpern

United States District Court

Southern District of New York

300 Quarropas Street

White Plains, NY 10601-4150

The conference scheduled for March 25, 2021 is re-scheduled for March 24, 2021 at 3:00 p.m. At the time of the scheduled conference all parties shall call (888) 398-2342; access code: 3456831. The Clerk is instructed to terminate ECF No. 40.

SO ORDERED.



Philip M. Halpern, U.S.D.J.

Dated: White Plains, NY

March 19, 2021

Re: Deborah Nifosi v. Pet Goods, Inc., et al.

Case Number 7:19-cv-05910-PMH

Conference Scheduled for March 25, 2021 at 10:45 AM

Your Honor:

As you may be aware, I am the attorney representing the Defendants in the case specified above. Please be advised that I will be undergoing surgery on March 25, 2021, with said surgery having been scheduled very recently. Following my conversations with Plaintiff's counsel, who gives his consent, I am requesting that the conference be advanced, subject to the court's availability to March 22, 2021, any time after 3:00 PM or to March 24, 2021 at any hour that is convenient to your schedule.

Discovery is Nearly Complete

As to the status of the case, I can report that thus far the parties have essentially concluded almost all document discovery and deposed both defendants. All that remains is the continuation of Plaintiff's deposition and the few document demands arising from the depositions of both parties.

The Parties Request a Settlement Conference Before a Magistrate Judge

More importantly, following the depositions, the parties have engaged in more fruitful settlement discussions than previously had at mediation. Thus, as an alternative to either advancing or adjourning the conference, if your Honor is amenable, and in the interests of judicial economy, counsel for both sides are requesting that the matter be referred to a Magistrate Judge for a settlement conference, with the hope that we can obviate the need for the continued deposition of plaintiff and the remaining exchange of documents.

Thank you for your consideration.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'LL' with a stylized flourish extending from the bottom right.

Louis C. La Pietra (LL 6978)

C: John Luke, Esq